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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,670	03/18/2004	Mary M. Hale	08014.005	5928

7590 02/28/2006

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EXAMINER

SHAW, ELIZABETH ANNE

ART UNIT	PAPER NUMBER
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3644

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/803,670

Applicant(s)

HALE ET AL.

Examiner

Elizabeth A. Shaw

Art Unit

3644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 1005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6,8-10,13 and 14 is/are rejected.
- 7) ☒ Claim(s) 7,11, 12 and 15-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 6, 10, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hosokawa (JP 2001-231701) in view of Alivizatos (5,279,237).

Hosokawa shows cleaning device comprising a basin 18 having a bottom wall and an upstanding peripheral rim extending upward from the bottom wall to define a holding area, at least one drainage opening through the bottom wall of the basin (see fig. 2) and covered by a removable, permeable cover 1 adapted to retain dirt and debris.

Hosokawa does not teach the use of a support layer in the holding area. Alivizatos shows a cleaning device capable of being used by animals for paw cleaning comprising a support layer 20 composed of artificial fibers, i.e polystyrene foam beads, adapted to conform to the contours of a paw and to retain fluid and a permeable cover 16 adapted to retain dirt and debris adjoining at least an upper portion of the support layer 20. With respect to claim 1, to use support layer of Alivizatos with the cleaning device of Hosokawa would have been obvious to one skilled in the art in order to provide a more stable the cleaning surface for supporting the animal or infant within the basin and to reduce the amount of cleaning of the area after use of the device.

Claims 2-4, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hosokawa and Alivizatos as applied to claim 1 above, and further in view of Olson (6,793,434). The combination of Hosokawa and Alivizatos does not show the use of a cleaning fluid. Olson teaches a cleaning device having a support layer 108 which retains cleaning fluid, such as water, soap or any combination thereof to be released when the support layer 108 is compressed to moisten and clean, col. 10, lines 16-53. With respect to claims 2-4, 8 and 9, to use the cleaning fluid of Olson with the cleaning device of the combination of Hosokawa and Alivizatos would have been obvious to one skilled in the art in order to more efficiently clean the person or animal using the device.

Allowable Subject Matter

Claims 7, 11, 12 and 15-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Amendment

Applicant's remarks with respect to claims 1, 10, 13, 14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

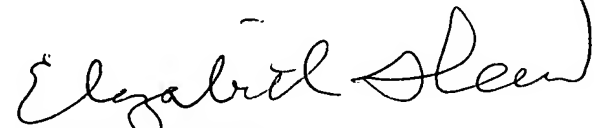
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Included for further reference are: Cullen (5,148,613), Coccagna (5,367,724), Page (2003/0098267), Belgiorio et al (2005/0172908), Sakihama (JP 2000-350668) and Masuda (JP 11332485).

Art Unit: 3644

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth A. Shaw whose telephone number is 571-272-6908. The examiner can normally be reached on M-Th 10:00-3:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teri Luu can be reached on 571-272-7045. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Elizabeth A. Shaw
Examiner
Art Unit 3644

January 20, 2006



TERI PHAM LUU
SUPERVISORY
PRIMARY EXAMINER